

1 Martha G. Bronitsky  
2 Chapter 13 Standing Trustee  
24301 Southland Dr #200  
3 Hayward, CA 94545-1541  
(510) 266- 5580

4 Trustee for Debtor(s)

5  
6 UNITED STATES BANKRUPTCY COURT  
7 NORTHERN DISTRICT OF CALIFORNIA

7 In Re  
8 Richard Lawrence Gifford  
9 Valerie Faye Gifford

Chapter 13 Case Number:  
08-46410-WJL 13

10 Debtor(s)

---

11 MOTION TO DISMISS CHAPTER 13 CASE FOR FAILURE TO MAKE PLAN  
12 PAYMENTS

---

13 **TO THE DEBTOR(S): YOU ARE BEHIND ON YOUR CHAPTER 13 PAYMENTS AND YOUR  
CASE WILL BE DISMISSED UNLESS YOUR DEFAULT IS CURED! YOU MUST TAKE  
ACTION WITHIN 21 DAYS OF THE DATE LISTED BELOW!**

14 **YOU ARE HEREBY NOTIFIED** that the Chapter 13 Trustee's records show that you have not made all  
15 the payments required by your confirmed Chapter 13 Plan.

16 **1. YOU ARE IN DEFAULT UNDER YOUR CHAPTER 13 PLAN.**

17 As of August 03, 2011 you should have paid a total of \$43,393.00 to the Chapter 13 Trustee.

18 According to the Trustee's records, you are in default in the amount of \$3359.00 . The default amount  
19 includes the current's month payment. The default amount does not include any payments which have been  
20 suspended. Suspended payments may not bind creditors. Payments must be current until this Motion is  
21 resolved.

22 2. In order to continue to receive protection of the United States Bankruptcy Court:

23 a. **YOU MUST** bring the case current by paying in certified funds to the Trustee in the amount of  
24 \$3,359.00 within 21 days of the date of this notice; OR

25 b. **YOU MUST** meet and confer with the Trustee by contacting the Client Services Department AND  
26 sign a Stipulation (agreement) describing how you will cure default in a manner which is acceptable to the  
27 Trustee. Such meeting shall be held at the office of the Trustee, at the address listed above, and shall be by  
28

1 appointment only; OR  
2  
3 c. **YOU MUST** contact your attorney immediately. Your attorney may apply to modify the plan or  
advise you of any other legal options. This must be done within 21 days of this notice.  
4  
5 3. Unless you pay the default amount, stipulate to cure the default or file an Application to Modify plan, as  
provided in paragraph 2 above, twenty-one (21) days from the date of this notice, **YOUR CASE SHALL**  
**BE IMMEDIATELY DISMISSED WITHOUT ANY FURTHER NOTICE OR HEARING.**

7 Dated: August 03, 2011

/s/ Martha G. Bronitsky

---

8 Signature of Martha G. Bronitsky  
9 Chapter 13 Standing Trustee

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

In re  
Richard Lawrence Gifford  
Valerie Faye Gifford  
debtor(s)

Chapter 13 Case No.  
08-46410-WJL 13

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have served a copy of the within and foregoing document on the debtor(s), counsel for debtor(s), and if applicable, the creditor, creditor representatives and the registered agent for the creditor by depositing it in the United States mail with first class postage attached thereto.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Richard Lawrence Gifford  
Valerie Faye Gifford  
4253 Pasa Tiempo Ct.  
Redding, CA 96002

Patrick L Forte Atty  
1 Kaiser Plaza #480  
Oakland, CA 94612

(Debtor(s))

Date: August 03, 2011

/s/ CHRISTIE ACOSTA

CHRISTIE ACOSTA